

ORIGINAL



BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

BOB STUMP, CHAIRMAN
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

2013 JUN 13 P 2:20

ARIZONA CORPORATION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 13 2013

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IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION TO UPGRADE
EXISTING CROSSINGS OF THE
BURLINGTON NORTHERN AND SANTA FE
RAILWAY AT THE INDIAN SCHOOL ROAD
CONNECTOR AND 35TH AVENUE IN THE
CITY OF PHOENIX, MARICOPA COUNTY,
ARIZONA, AT AAR/DOT NOS. 025-424-D
AND 025-425-K.

DOCKET NO. RR-02635B-13-0034

STAFF NOTICE OF FILING

During the evidentiary hearing held in this matter on June 10, 2013, Safety Division Staff added a further recommendation during the oral testimony of Mr. Brian Lehman. Administrative Law Judge Stern directed Staff to docket the Staff recommendation. Staff recommends that Arizona Department of Transportation ("ADOT") be required to update the Commission with regard to the status of ongoing evaluations of the feasibility of implementing crossing gates for the northbound lanes of traffic on 35th Avenue. To that end, Staff recommends that the following language be adopted as a condition of granting ADOT's application.

ADOT shall file in this docket, within 15 months of the effective date of this order, a status update relating the progress of discussions, analyses, or plans concerning the implementation of a median and crossing gates for northbound traffic on 35th Avenue at the crossing.

RESPECTFULLY SUBMITTED this 13th day of June, 2013.

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1 **Original and thirteen (13) copies of**
2 **the foregoing filed this 13th day of**
3 **June, 2013, with:**

4 Docket Control
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8 **Copy of the foregoing mailed this**
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